

MINUTES

P & Z COMMISSION HEARING

July 18, 2002

ATTENDANCE

P & Z Commissioners

ATTENDED

1. John Dalton, Chairman
2. Frank Damato
3. Wendell DeCross
4. Jon Olson
5. Roy Solomon
6. Drew Shumway

ABSENT

Gary Nelson
Gene Kuwanquaftewa
Tommy Joe

Staff Attendance

1. David Ashton, Director
2. Lissa Davis, Planner II
3. Lance Payette, Deputy County Attorney
4. Richard Young, Deputy Director of Public Works
5. Mary Bradley, Secretary

Meeting held at the Board of Supervisors Chambers, Holbrook, Arizona - Time 6:03 p.m.

John Dalton called the meeting of the Navajo County Planning & Zoning Commission to order, and welcomed Drew Shumway to the Planning and Zoning Commission. Mr. Dalton went on and explained the meeting procedures to the public and then led the Pledge of Allegiance.

Item #1 **SPECIAL USE PERMIT**: Discussion and possible Commission action on a request for a Special Use Permit by **Connie Krum** to allow for the operation of a swap meet on the subject property APN: 212-26-120A, in T9N, R22E, Section 24 of the Gila and Salt River Meridian, the Lakeside area. **John Dalton stated that this item is on hold pending a revised site plan.**

ITEM #2 **SPECIAL USE PERMIT**: Discussion and possible Commission action on a request by **Phillip Hoppes** for a Special Use Permit to allow for the operation of a contemporary glass art studio on the subject property APN: 206-44-004, in T12N, R17E, Section 27 of the Gila and Salt River Meridian, the Overgaard area. **Lissa Davis** gave a history of the project and presented maps showing the general area and site plans. The stated reason for this request is to allow for the operation of a contemporary glass art studio on the garage portion of the subject property. Ms. Davis indicated that the garage is separate from the house and that there is room for future expansion. This does not qualify as a Home Occupation since it will be conducted in the detached garage. Ms. Davis passed around a photo of the applicant's garage to the commissioners. The applicant will be utilizing a variety of power tools and kiln in his work and noise, fumes, and dust will not be projected to the neighborhood. Staff had not received any letters or comments in favor or opposition to this project. Staff recommends approval with stipulations. **Phillip & Lynne Hoppes** are the persons who are requesting the Special Use Permit and Mr. Hoppes was in attendance. Mr. Hoppes indicated that he is the owner of the property and this would be additional employment for him. Mr. Hoppes went on to say that in a few years he is planning on retiring and would like to operate the studio according to the hours that were given. Mr. Hoppes indicated that he does not plan on doing any retail sales at his dwelling and he does not plan on having people come directly to the studio to purchase from him. Mr. Hoppes plans on selling his work to local merchants and art studios. **No one came forward to speak in favor or opposition to this project.** **John Dalton** expressed his concern

regarding the noise that will be emitted by the compressor. **Mr. Hoppes** assured the commission of his plans on soundproofing the compressor. A motion was made by **Frank Damato** to approve the Special Use Permit with the stipulations stated by staff. **Recommended Stipulations:** *1. The permitted Special Use shall be allowed to occur only in the location shown on the approved site plan. 2. Any expansion of the Special Use shall require an amendment to the Permit. 3. This Special Use Permit shall be valid for the current property owner only. 4. No activities in conjunction with this Special Use Permit shall be conducted outside of the garage/studio. 5. There shall be no employees reporting to the residence. 6. The Permittee shall submit, in writing, a statement verifying compliance with all stipulations. This statement will be due on each anniversary date of approval by the Board of Supervisors. 7. Hours of operation shall be limited to 8:00 a.m. to 8:00 p.m. daily.* **Jon Olson** seconded the motion. Motion unanimously carried.

ITEM #3 **SPECIAL USE PERMIT:** Discussion and possible Commission action on a request for a Special Use Permit by **Verizon Wireless** to allow for the operation of an existing cellular tower on the subject property APN: 103-22-024A, in T19N, R16E, Section 27 of the Gila and Salt River Meridian, the Winslow area. **Lissa Davis** gave a history of the project and presented maps showing the general area and site plans. The stated reason for this request is to allow for the operation of an existing cellular tower on the subject property. Ms. Davis indicated that this is a 365-foot guyed telecommunication tower that was constructed by Verizon Wireless in approximately 1991. There is no evidence of a Special Use Permit or Building Permits being issued by Navajo County. At this time the applicant is attempting to obtain electrical permits for a new collocation on this tower. A Special Use Permit is required prior to issuance of these permits by Navajo County Building Department. As this tower has been in operation for almost a decade with no detrimental effects to the surrounding area, staff recommends approval. Ms. Davis passed around photos of the tower to the commission. Staff had not received any letters or comments in favor or opposition to this project. **Todd Daust** is the General Manager for American Tower Corporation. Mr. Daust indicated that recently they received an application for AT&T wireless service and some interest from a radio broadcaster. Mr. Daust indicated that this would provide additional services to the residences of Navajo County. **Wendell DeCross** asked if there was any development around the tower. **Mr. Daust** response was no. **John Dalton** indicated that he doubted if there ever was a Special Use Permit or Building Permit applied for or granted to the applicant. **No one came forward to speak in favor or opposition to this project.** A motion was made by **Jon Olson** to approve the Special Use Permit. **Frank Damato** seconded the motion. Motion unanimously carried.

ITEM #4 **SITE LOCATION PLAT:** Discussion and possible commission action on a request for approval of a Site Location Plat by **ILX Resorts Inc.**, for a Time Share Project at the Roundhouse Resort property, APN: 211-40-051A, in T8N, R23E, Section 2 of the Gila and Salt River Meridian, Pinetop Country Club Area, Pinetop. **David Ashton** gave a case overview of each project and presented maps showing the general area and site plans. The stated reason for this request is to approve the Site Location Plat for the ILX Vacation Resort Plan. Mr. Ashton explained that this site plan joins another time-share plan at the Roundhouse Resort. Mr. Ashton indicated that the original part was half built out and had problems financially and they split the property into two parcels (051A and 051B). Mr. Ashton went on to say that ILX wants to develop the front undeveloped portion of the property. Mr. Ashton indicated that Public Works Departments does have some concerns. Mr. Ashton expressed concerns pertaining to the turning radius. Staff had not received any letters or comments in favor or opposition to this project. Staff recommends approval with a stipulation. **Richard Young** remarked that a site plan is not driven by the letter of the law in the subdivision regulations. We do have concerns for any street construction. Mr. Young then gave a verbal list of the concerns to the commission. 1. The site would be safe as well as traffic safety. 2. The site is accessible to all vehicles that must have access to the site (emergency vehicles, utility service equipment and garbage trucks). Most of the road requirements are obtained in the subdivision regulations. Another concern is the future use of Buck Springs Road. The current traffic exceeds 6000 vehicles per day, and is anticipated to exceed 10, 000 by 2020. The Pinetop Country area is approximately 60% built up based on the number of lots in the service area and the water meters. Public Works ask that sufficient setbacks be available for Buck Springs Road that when it is necessary to widen the road they would be in the position in requiring the right away. Mr. Young indicated that they have specific requirements for roadway construction, particularly the portion within the public right away with the connection to Buck Springs Road. Mr. Young stated that they require certain standards of compaction, certain material requirements on the intersection. Mr. Young indicated that in the review that was submitted, it is something less in the standards of what they would generally require. Mr. Young stated that it is substantially less in standards in what they would require in geometric requirements in several internal locations (Mr. Young pointed out the locations). Mr. Young stated that another concern is that there is only one access to a public maintained road. **Michael Stone** is the project manager of ILX Resorts, Inc. Mr. Stone stated that they acquired the property from Round House Resort out of bankruptcy. ILX owns and operates 9 timeshares resort properties that are located

primarily in the Western United States. ILX has a corporate offices located in Phoenix and they currently employ about 900 people and have been in business for about 15 years. The project, which is the Premiere Vacation Club at the Roundhouse Resort, consists of 21 cabins that will be utilized by their timeshare owners and exchange guests. Mr. Stone displayed some renderings of the cabins to the commissioners and described what the cabins would look like. Mr. Stone cited the economic benefits for the community. Mr. Stone indicated that there will be construction expenditures of approximately 3 million dollars, and direct on going expenditures for operation and maintenance, job creation, full and part-time and guest spending in the community. **No one came forward to speak in favor or opposition to this project.** Frank Damato asked about the access slope and if Unit 21 is a timeshare. Mr. Damato indicated that Unit 21 is the unit that creates the problem with the curve. Mr. Damato also indicated that he has a problem with there only be one access and only one way getting in and out. John Dalton also expressed his concern about there being one road access and also the lack of fencing. Mr. Dalton spoke about his concerns for the safety of small children due to the proximity of Buck Springs Road. Mr. Dalton also felt that a split rail fence would not provide adequate protection. Mr. Dalton stated that he had no problem with the development and he feels that the engineers will work out the problems. Wendell DeCross spoke about this being a retirement area and generally you do not see a lot of young children in the area and this was based on his observation. **Terry Clark** is the Manager of Roundhouse Resorts addressed his concern regarding a placement of a wall (fence) would reduce visibility (showed on map) and also the parking for people checking in. Mr. Clark stated that their timeshare (Roundhouse) has occupancy of 50% of families with children. Mr. Clark commented that a lot of grandparents let their children use their timeshares and agreed with Mr. Dalton concern, pertaining to the safety of the children. A motion was made by Roy Solomon to approve ILX Site Location Plat with the stipulation stated by staff and to include the additional stipulation that it is to be recommended to the Board of Supervisors that a safety barrier be considered along Bucks Springs Road for the safety of the public. ***Recommended Stipulations: 1 All Public Works, Flood Control and staff design review comments on the Site Plan and Improvement Plans and other comments shall be answered to the full satisfaction of the County Engineer and Development Services Department prior to scheduling before the Board of Supervisors. 2. It is recommended to the Board of Supervisors that a safety barrier be considered along Bucks Springs Road for the safety of the public.*** Drew Shumway seconded the motion. Motion carried with Jon Olson, John Dalton, Drew Shumway, Roy Solomon, and Wendell DeCross voting in favor of the motion. Frank Damato vote in opposition of the motion and citing his reasons that there should be a second exist.

ITEM #5 AMENDMENT TO THE NAVAJO COUNTY ZONING ORDINANCE: Discussion and possible Commission action on a request by the Navajo County Development Services Department to amend the Navajo County Zoning Ordinance, by removing language from Section 2001 – Special Use Permits to clarify meaning. **Lissa Davis** gave a history of the project. Ms. Davis reminded the commission that they had discussed in the past the number of Special Use Permits being presented to them as well as the Board of Supervisors. Ms. Davis indicated that our Deputy County Attorney, Lance Payette had found a solution to this problem. Ms. Davis went on to state that Mr. Payette suggested that 3 words be taken out which are **any use including**. Ms. Davis stated that this would limit what would be allowed for a Special Use Permit. Ms. Davis said that right now anything gives a person a right to apply for a Special Use Permit. Roy Solomon asked what uses would be allowed if they approved this? **Lissa Davis** stated that there are 28 uses listed under Special Uses Permits (cited the uses). **Lance Payette** said that these are a lot of uses that presented a lot concerns. You don't want to put these uses anywhere not unless they come in and satisfy you with the conditions that they will be put under. The original intent of this section was to get control of the uses that presented a proportionate amount of concern. Mr. Payette spoke about every zone having permitted uses and that the Director can approve other uses that are similar. Roy Solomon expressed his concern about people wanting to make a living on their property and not being able to do it because they are in the wrong zoning district. John Dalton stated that he has no problem with this and at a later date the commission should look at each zoning district. Drew Shumway stated that he was not in favor of giving people rules or legislating people from doing what they want on their property. A motion was made by Frank Damato to approve the amendment to the Navajo County Zoning Ordinance with the changes stated by staff. Jon Olson seconded the motion. Jon Olson, Frank Damato, John Dalton and Wendell DeCross voted in favor of the motion. Roy Solomon and Drew Shumway voted in opposition to the motion. Motion carried.

ITEM #6 Possible approval of May 16, 2002 Minutes. A motion was made by Roy Solomon to approve the minutes. Drew Shumway seconded the motion. Motion unanimously carried.

ITEM #7 Commissioners Comments and/or Directions to Staff. Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions choosing. **The**

commissioners agreed to reschedule the work session requested by the Board of Supervisors regarding Special Use Permits. The commission decided to schedule the work session on of August 12, 2002 at 1:30 p.m.

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 8:30 p.m. **Frank Damato** made a motion to adjourn. **Jon Olson** seconded the motion. Motion unanimously carried. The Commission reserves the right to adjourn into an executive session when needed per 431.03(a)(3) for legal consultation on the above agenda items.

NOTE: a copy of the agenda background material provided to the Commission Members (with exception of material relating to possible executive sessions) is available for public inspection at the Development Services Office, Navajo County Complex, Holbrook, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Approved this _____ day of _____, 2002.

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Development Services